

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Tymur Dubnyskyy,

Civil No. 14-5025 (DWF/JJK)

Petitioner,

v.

U.S. Department of Homeland Security
& Immigration Customs Enforcement,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated March 2, 2015. (Doc. No. 12.) No objections have been filed to that Report and Recommendation in the time period permitted. Further, mail sent to Petitioner was returned as undeliverable and the Court did attempt to locate Petitioner, but was unable to do so. (*See generally* ECF Docket.)

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Jeffrey J. Keyes's March 2, 2015 Report and Recommendation (Doc. No. [12]) is **ADOPTED**.
2. Respondent's Motion to Dismiss is **GRANTED** (Doc. No. [9]).

3. The Petition for Writ of Habeas Corpus is **DENIED AS MOOT** (Doc. No. [1]).

4. This case is **DISMISSED WITH PREJUDICE**.

Dated: April 17, 2015

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge